



Senate

General Assembly

File No. 404

January Session, 2009

Substitute Senate Bill No. 901

Senate, April 2, 2009

The Committee on Higher Education and Employment Advancement reported through SEN. HANDLEY of the 4th Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

AN ACT CONCERNING FEES PAID BY MEMBERS OF THE CONNECTICUT NATIONAL GUARD AT COMMUNITY-TECHNICAL COLLEGES, THE CONNECTICUT STATE UNIVERSITY SYSTEM AND THE UNIVERSITY OF CONNECTICUT.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 10a-77 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective July 1, 2009*):

3 (a) Subject to the provisions of section 10a-26, the Board of Trustees
4 of the Community-Technical Colleges shall fix fees for tuition at the
5 regional community-technical colleges and shall fix fees for such other
6 purposes as the board deems necessary at the regional community-
7 technical colleges, and may make refunds to the same.

8 (b) The Board of Trustees of the Community-Technical Colleges
9 shall establish and administer a fund to be known as the Regional
10 Community-Technical Colleges Operating Fund. Appropriations from
11 general revenues of the state and, upon request by the board and with

12 an annual review and approval by the Secretary of the Office of Policy
13 and Management, the amount of the appropriations for fringe benefits
14 and workers' compensation applicable to the community-technical
15 colleges pursuant to subsection (a) of section 4-73, shall be transferred
16 from the Comptroller, and all tuition revenue received by the regional
17 community-technical colleges in accordance with the provisions of
18 subsection (a) of this section shall be deposited in said fund. Income
19 from student fees or related charges; the proceeds of auxiliary activities
20 and business enterprises, gifts and donations; federal funds and grants
21 for purposes other than research, and all receipts derived from the
22 conduct by the colleges of their education extension programs and
23 summer school sessions shall be credited to said fund but shall be
24 allocated to the central office and institutional operating accounts
25 which shall be established and maintained for the central office and
26 each community-technical college. If the Secretary of the Office of
27 Policy and Management disapproves such transfer, the secretary may
28 require the amount of the appropriation for operating expenses to be
29 used for personal services and fringe benefits to be excluded from said
30 fund. The State Treasurer shall review and approve the transfer prior
31 to such request by the board of trustees. The board shall establish an
32 equitable policy for allocation of appropriations from general revenues
33 of the state, fringe benefits transferred from the Comptroller and
34 tuition revenue deposited in the Regional Community-Technical
35 Colleges Operating Fund. At the beginning of each quarter of the fiscal
36 year, the board shall allocate and transfer, in accordance with said
37 policy, moneys for expenditure in such institutional operating
38 accounts, exclusive of amounts retained for central office operations
39 and reasonable reserves for future distribution. All costs of waiving or
40 remitting tuition pursuant to subsection [(e)] (g) of this section shall be
41 charged to the Regional Community-Technical Colleges Operating
42 Fund. Repairs, alterations or additions to facilities supported by
43 operating funds and costing one million dollars or more shall require
44 the approval of the General Assembly, or when the General Assembly
45 is not in session, of the Finance Advisory Committee. Any balance of
46 receipts above expenditures shall remain in said fund, except such

47 sums as may be required for deposit into a debt service fund or the
48 General Fund for further payment by the Treasurer of debt service on
49 general obligation bonds of the state issued for purposes of
50 community-technical colleges.

51 (c) Commencing December 1, 1984, and thereafter [within] not later
52 than sixty days [of] after the close of each quarter, the board of trustees
53 shall submit to the joint standing committee of the General Assembly
54 having cognizance of matters relating to appropriations and the
55 budgets of state agencies and the Office of Policy and Management,
56 through the Board of Governors of Higher Education, a report on the
57 actual expenditures of the Regional Community-Technical Colleges
58 Operating Fund containing such relevant information as the Board of
59 Governors of Higher Education may require.

60 (d) Said board of trustees shall waive the payment of tuition at any
61 of the regional community-technical colleges (1) for any dependent
62 child of a person whom the armed forces of the United States has
63 declared to be missing in action or to have been a prisoner of war
64 while serving in such armed forces after January 1, 1960, which child
65 has been accepted for admission to such institution and is a resident of
66 Connecticut at the time such child is accepted for admission to such
67 institution, (2) for any veteran having served in time of war, as defined
68 in subsection (a) of section 27-103, or who served in either a combat or
69 combat support role in the invasion of Grenada, October 25, 1983, to
70 December 15, 1983, the invasion of Panama, December 20, 1989, to
71 January 31, 1990, or the peace-keeping mission in Lebanon, September
72 29, 1982, to March 30, 1984, who has been accepted for admission to
73 such institution and is domiciled in this state at the time such veteran
74 is accepted for admission to such institution, (3) for any resident of
75 Connecticut sixty-two years of age or older, provided, at the end of the
76 regular registration period, there are enrolled in the course a sufficient
77 number of students other than those persons eligible for waivers
78 pursuant to this subdivision to offer the course in which such person
79 intends to enroll and there is space available in such course after
80 accommodating all such students, (4) for any student attending the

81 Connecticut State Police Academy who is enrolled in a law
82 enforcement program at said academy offered in coordination with a
83 regional community-technical college which accredits courses taken in
84 such program, (5) for any active member of the Connecticut Army or
85 Air National Guard who (A) has been certified by the Adjutant
86 General or such Adjutant General's designee as a member in good
87 standing of the guard, and (B) is enrolled or accepted for admission to
88 such institution on a full-time or part-time basis in an undergraduate
89 degree-granting program, (6) for any dependent child of a (A) police
90 officer, as defined in section 7-294a, or supernumerary or auxiliary
91 police officer, (B) firefighter, as defined in section 7-323j, or member of
92 a volunteer fire company, (C) municipal employee, or (D) state
93 employee, as defined in section 5-154, killed in the line of duty, (7) for
94 any resident of the state who is a dependent child or surviving spouse
95 of a specified terrorist victim who was a resident of this state, (8) for
96 any dependent child of a resident of the state who was killed in a
97 multivehicle crash at or near the intersection of Routes 44 and 10 and
98 Nod Road in Avon on July 29, 2005, and (9) for any resident of the state
99 who is a dependent child or surviving spouse of a person who was
100 killed in action while performing active military duty with the armed
101 forces of the United States on or after September 11, 2001, and who
102 was a resident of this state. If any person who receives a tuition waiver
103 in accordance with the provisions of this subsection also receives
104 educational reimbursement from an employer, such waiver shall be
105 reduced by the amount of such educational reimbursement. Veterans
106 described in subdivision (2) of this subsection and members of the
107 National Guard described in subdivision (5) of this subsection shall be
108 given the same status as students not receiving tuition waivers in
109 registering for courses at regional community-technical colleges.
110 Notwithstanding the provisions of section 10a-30, as used in this
111 subsection, "domiciled in this state" includes domicile for less than one
112 year.

113 (e) In addition to the waiver of tuition pursuant to subsection (d) of
114 this section, said board of trustees shall waive the payment of any
115 extension fees for a course in an educational extension program or a

116 summer session at any of the regional community-technical colleges
117 for any active member of the Connecticut Army or Air National Guard
118 who (1) is a resident of the state, (2) has been certified by the Adjutant
119 General or the Adjutant General's designee as a member in good
120 standing of the guard, and (3) is enrolled or accepted for admission to
121 such institution on a full-time or part-time basis in an undergraduate
122 degree-granting program.

123 (f) Any veteran described in subdivision (2) of subsection (d) of this
124 section and any member of the National Guard described in
125 subdivision (5) of subsection (d) of this section or subsection (e) of this
126 section who applies for a waiver of tuition or extension fees pursuant
127 to this section shall certify to the board of trustees that such veteran or
128 such member of the National Guard has applied for federal benefits,
129 including, but not limited to, benefits available through the Post-9/11
130 Veterans Educational Assistance Act of 2008, and any waiver of tuition
131 or extension fees shall be reduced by the amount of such federal
132 benefits.

133 ~~[(e)]~~ (g) Said board shall set aside from its anticipated regional
134 community-technical college tuition revenue, an amount not less than
135 that required by the board of governors' tuition policy established
136 under subdivision (3) of subsection (a) of section 10a-6. Such funds
137 shall be used to provide tuition and extension fee waivers, tuition
138 remissions, grants for educational expenses and student employment
139 for residents enrolled in regional community-technical colleges as full
140 or part-time matriculated students in a degree-granting program, or
141 enrolled in a precollege remedial program, who demonstrate
142 substantial financial need. Said board may also set aside from its
143 anticipated tuition revenue an additional amount equal to one per cent
144 of said tuition revenue for financial assistance for students who would
145 not otherwise be eligible for financial assistance but who do have a
146 financial need as determined by the college in accordance with this
147 subsection. In determining such financial need, the college shall
148 exclude the value of equity in the principal residence of the student's
149 parents or legal guardians, or in the student's principal residence if the

150 student is not considered to be a dependent of his parents or legal
151 guardians and shall assess the earnings of a dependent student at the
152 rate of thirty per cent.

153 [(f)] (h) The Regional Community-Technical Colleges Operating
154 Fund shall be reimbursed for the amount by which the tuition and
155 extension fee waivers granted under [subsection (d)] subsections (d)
156 and (e) of this section exceed five per cent of tuition revenue through
157 an annual state appropriation. The board of trustees shall request such
158 an appropriation and said appropriation shall be based upon an
159 estimate of tuition revenue loss using tuition rates in effect for the
160 fiscal year in which such appropriation will apply.

161 [(g)] (i) Said board of trustees shall allow any student who is a
162 member of the armed forces called to active duty during any semester
163 to enroll in any course for which such student had remitted tuition but
164 which was not completed due to active duty status. Such course
165 reenrollment shall be offered to any qualifying student for a period not
166 exceeding four years after the date of release from active duty without
167 additional tuition, student fee or related charge, except if such student
168 has been fully reimbursed for the tuition, fees and charges for the
169 course that was not completed.

170 Sec. 2. Section 10a-99 of the general statutes is repealed and the
171 following is substituted in lieu thereof (*Effective July 1, 2009*):

172 (a) Subject to the provisions of section 10a-26, the Board of Trustees
173 of the Connecticut State University System shall fix fees for tuition and
174 shall fix fees for such other purposes as the board deems necessary at
175 the university, and may make refunds of the same.

176 (b) The Board of Trustees of the Connecticut State University
177 System shall establish and administer a fund to be known as the
178 Connecticut State University System Operating Fund. Appropriations
179 from general revenues of the state and upon request by the
180 Connecticut State University System and with the annual review and
181 approval by the Secretary of the Office of Policy and Management, the

182 amount of the appropriations for fringe benefits pursuant to
183 subsection (a) of section 4-73, shall be transferred from the State
184 Comptroller and all tuition revenue received by the Connecticut State
185 University System in accordance with the provisions of subsection (a)
186 of this section shall be deposited in said fund. Income from student
187 fees or related charges, the proceeds of auxiliary activities and business
188 enterprises, gifts and donations, federal funds and grants, subject to
189 the provisions of sections 10a-98 to 10a-98g, inclusive, and all receipts
190 derived from the conduct by a state university of its education
191 extension program and its summer school session shall be credited to
192 said fund but shall be allocated to the central office and institutional
193 operating accounts which shall be established and maintained for the
194 central office and each state university. Any such gifts and donations,
195 federal funds and grants for purposes of research shall be allocated to
196 separate accounts within such central office and institutional operating
197 accounts. If the Secretary of the Office of Policy and Management
198 disapproves such transfer, he may require the amount of the
199 appropriation for operating expenses to be used for personal services
200 and fringe benefits to be excluded from said fund. The State Treasurer
201 shall review and approve the transfer prior to such request by the
202 university. The board of trustees shall establish an equitable policy for
203 allocation of appropriations from general revenues of the state, fringe
204 benefits transferred from the State Comptroller and tuition revenue
205 deposited in the Connecticut State University System Operating Fund.
206 At the beginning of each quarter of the fiscal year, the board shall
207 allocate and transfer, in accordance with said policy, moneys for
208 expenditure in such institutional operating accounts, exclusive of
209 amounts retained for central office operations and reasonable reserves
210 for future distribution. All costs of waiving or remitting tuition
211 pursuant to subsection [(e)] (g) of this section shall be charged to the
212 Connecticut State University System Operating Fund. Repairs,
213 alterations or additions to facilities supported by the Connecticut State
214 University System Operating Fund and costing one million dollars or
215 more shall require the approval of the General Assembly, or when the
216 General Assembly is not in session, of the Finance Advisory

217 Committee. Any balance of receipts above expenditures shall remain
218 in said fund, except such sums as may be required for deposit into a
219 debt service fund or the General Fund for further payment by the
220 Treasurer of debt service on general obligation bonds of the state
221 issued for purposes of the Connecticut State University System.

222 (c) Commencing December 1, 1984, and thereafter [within] not later
223 than sixty days [of] after the close of each quarter, the board of trustees
224 shall submit to the joint standing committee of the General Assembly
225 having cognizance of matters relating to appropriations and the
226 budgets of state agencies and the Office of Policy and Management,
227 through the Board of Governors of Higher Education, a report on the
228 actual expenditures of the Connecticut State University System
229 Operating Fund containing such relevant information as the Board of
230 Governors of Higher Education may require.

231 (d) Said board shall waive the payment of tuition fees at the
232 Connecticut State University System (1) for any dependent child of a
233 person whom the armed forces of the United States has declared to be
234 missing in action or to have been a prisoner of war while serving in
235 such armed forces after January 1, 1960, which child has been accepted
236 for admission to such institution and is a resident of Connecticut at the
237 time such child is accepted for admission to such institution, (2) for
238 any veteran having served in time of war, as defined in subsection (a)
239 of section 27-103, or who served in either a combat or combat support
240 role in the invasion of Grenada, October 25, 1983, to December 15,
241 1983, the invasion of Panama, December 20, 1989, to January 31, 1990,
242 or the peace-keeping mission in Lebanon, September 29, 1982, to
243 March 30, 1984, who has been accepted for admission to such
244 institution and is domiciled in this state at the time such veteran is
245 accepted for admission to such institution, (3) for any resident of
246 Connecticut sixty-two years of age or older who has been accepted for
247 admission to such institution, provided (A) such person is enrolled in a
248 degree-granting program, or (B) at the end of the regular registration
249 period, there are enrolled in the course a sufficient number of students
250 other than those persons eligible for waivers pursuant to this

251 subdivision to offer the course in which such person intends to enroll
252 and there is space available in such course after accommodating all
253 such students, (4) for any student attending the Connecticut Police
254 Academy who is enrolled in a law enforcement program at said
255 academy offered in coordination with the university which accredits
256 courses taken in such program, (5) for any active member of the
257 Connecticut Army or Air National Guard who (A) has been certified
258 by the Adjutant General or such Adjutant General's designee as a
259 member in good standing of the guard, and (B) is enrolled or accepted
260 for admission to such institution on a full-time or part-time basis in an
261 undergraduate or graduate degree-granting program, (6) for any
262 dependent child of a (A) police officer, as defined in section 7-294a, or
263 supernumerary or auxiliary police officer, (B) firefighter, as defined in
264 section 7-323j, or member of a volunteer fire company, (C) municipal
265 employee, or (D) state employee, as defined in section 5-154, killed in
266 the line of duty, (7) for any resident of this state who is a dependent
267 child or surviving spouse of a specified terrorist victim who was a
268 resident of the state, (8) for any dependent child of a resident of the
269 state who was killed in a multivehicle crash at or near the intersection
270 of Routes 44 and 10 and Nod Road in Avon on July 29, 2005, and (9)
271 for any resident of the state who is a dependent child or surviving
272 spouse of a person who was killed in action while performing active
273 military duty with the armed forces of the United States on or after
274 September 11, 2001, and who was a resident of this state. If any person
275 who receives a tuition waiver in accordance with the provisions of this
276 subsection also receives educational reimbursement from an employer,
277 such waiver shall be reduced by the amount of such educational
278 reimbursement. Veterans described in subdivision (2) of this
279 subsection and members of the National Guard described in
280 subdivision (5) of this subsection shall be given the same status as
281 students not receiving tuition waivers in registering for courses at
282 Connecticut state universities. Notwithstanding the provisions of
283 section 10a-30, as used in this subsection, "domiciled in this state"
284 includes domicile for less than one year.

285 (e) In addition to the waiver of tuition fees pursuant to subsection

286 (d) of this section, said board shall waive the payment of any extension
287 fees for a course in an educational extension program or a summer
288 session at the Connecticut State University System for any active
289 member of the Connecticut Army or Air National Guard who (1) is a
290 resident of the state, (2) has been certified by the Adjutant General or
291 the Adjutant General's designee as a member in good standing of the
292 guard, and (3) is enrolled or accepted for admission to such institution
293 on a full-time or part-time basis in an undergraduate or graduate
294 degree-granting program.

295 (f) Any veteran described in subdivision (2) of subsection (d) of this
296 section and any member of the National Guard described in
297 subdivision (5) of subsection (d) of this section or subsection (e) of this
298 section who applies for a waiver of tuition or extension fees pursuant
299 to this section shall certify to the board of trustees that such veteran or
300 such member of the National Guard has applied for federal benefits,
301 including, but not limited to, benefits available through the Post-9/11
302 Veterans Educational Assistance Act of 2008, and any waiver of tuition
303 or extension fees shall be reduced by the amount of such federal
304 benefits.

305 [(e)] (g) Said board shall set aside from its anticipated tuition
306 revenue, an amount not less than that required by the board of
307 governors' tuition policy established under subdivision (3) of
308 subsection (a) of section 10a-6. Such funds shall be used to provide
309 tuition waivers, tuition remissions, grants for educational expenses
310 and student employment for any undergraduate or graduate student
311 who is enrolled as a full or part-time matriculated student in a degree-
312 granting program, or enrolled in a precollege remedial program, and
313 who demonstrates substantial financial need. Said board may also set
314 aside from its anticipated tuition revenue an additional amount equal
315 to one per cent of said tuition revenue for financial assistance for
316 students who would not otherwise be eligible for financial assistance
317 but who do have a financial need as determined by the university in
318 accordance with this subsection. In determining such financial need,
319 the university shall exclude the value of equity in the principal

320 residence of the student's parents or legal guardians, or in the student's
321 principal residence if the student is not considered to be a dependent
322 of his parents or legal guardians and shall assess the earnings of a
323 dependent student at the rate of thirty per cent.

324 [(f)] (h) The Connecticut State University System Operating Fund
325 shall be reimbursed for the amount by which the tuition and extension
326 fee waivers granted under [subsection (d)] subsections (d) and (e) of
327 this section exceed two and one-half per cent of tuition revenue
328 through an annual state appropriation. The board of trustees shall
329 request such an appropriation and said appropriation shall be based
330 upon an estimate of tuition revenue loss using tuition rates in effect for
331 the fiscal year in which such appropriation will apply.

332 [(g)] (i) Said board of trustees shall allow any student who is a
333 member of the armed forces called to active duty during any semester
334 to enroll in any course for which such student had remitted tuition but
335 which was not completed due to active duty status. Such course
336 reenrollment shall be offered to any qualifying student for a period not
337 exceeding four years after the date of release from active duty without
338 additional tuition, student fee or related charge, except if such student
339 has been fully reimbursed for the tuition, fees and charges for the
340 course that was not completed.

341 Sec. 3. Section 10a-105 of the general statutes is repealed and the
342 following is substituted in lieu thereof (*Effective July 1, 2009*):

343 (a) Subject to the provisions of sections 10a-8 and 10a-26, the Board
344 of Trustees of The University of Connecticut shall fix fees for tuition
345 and shall fix fees for such other purposes as the board deems necessary
346 at The University of Connecticut, and may make refunds of the same.

347 (b) The Board of Trustees of The University of Connecticut shall
348 establish and administer a fund to be known as The University of
349 Connecticut Operating Fund, and in addition, may establish a Special
350 External Gift Fund, and an endowment fund, as defined in section 10a-
351 109c, and such other funds as may be established pursuant to

352 subdivision (13) of subsection (a) of section 10a-109d. Appropriations
353 from general revenues of the state and, upon request by the university
354 and with an annual review and approval by the Secretary of the Office
355 of Policy and Management, the amount of the appropriations for fringe
356 benefits and workers' compensation applicable to the university
357 pursuant to subsection (a) of section 4-73, shall be transferred from the
358 Comptroller, and all tuition revenue received by the university in
359 accordance with the provisions of subsection (a) of this section, income
360 from student fees or related charges, the proceeds of auxiliary activities
361 and business enterprises, gifts and donations, federal funds and grants
362 for purposes other than research and all receipts derived from the
363 conduct by The University of Connecticut of its education extension
364 program and its summer school session, except funds received by The
365 University of Connecticut Health Center, shall be deposited in said
366 operating fund. If the Secretary of the Office of Policy and
367 Management disapproves such transfer, he may require the amount of
368 the appropriation for operating expenses to be used for personal
369 services and fringe benefits to be excluded from said fund. The State
370 Treasurer shall review and approve the transfer prior to such request
371 by the university. All costs of waiving or remitting tuition pursuant to
372 subsection (e) of this section, except the cost of waiving or remitting
373 tuition for students enrolled in the schools of medicine or dental
374 medicine, shall be charged to said fund. Repairs, alterations or
375 additions to facilities supported by said fund costing one million
376 dollars or more shall require the approval of the General Assembly, or
377 when the General Assembly is not in session, of the Finance Advisory
378 Committee. Any balance of receipts above expenditures shall remain
379 in said fund, except such sums as may be required for deposit into a
380 debt service fund or the General Fund for further payment by the
381 Treasurer of debt service on general obligation bonds of the state
382 issued for purposes of The University of Connecticut.

383 (c) The Board of Trustees of The University of Connecticut shall
384 establish and administer a fund to be known as The University of
385 Connecticut Health Center Operating Fund. Appropriations from
386 general revenues of the state except the amount of the appropriation

387 for operating expenses to be used for personal services and the
388 appropriations for fringe benefits pursuant to subsection (a) of section
389 4-73, all tuition revenue received by the health center in accordance
390 with the provisions of subsection (a) of this section, income from
391 student fees or related charges, proceeds from auxiliary and business
392 enterprises, gifts and donations, federal funds and grants for purposes
393 other than research and other income relative to these activities shall
394 be deposited in said fund. All costs of waiving or remitting tuition
395 pursuant to subsection [(f)] (h) of this section for students enrolled in
396 the schools of medicine or dental medicine shall be charged to said
397 fund. Repairs, alterations or additions to facilities supported by said
398 fund costing one million dollars or more shall require the approval of
399 the General Assembly, or when the General Assembly is not in session,
400 of the Finance Advisory Committee. Any balance of receipts above
401 expenditures shall remain in said fund, except such sums as may be
402 required for deposit into a debt service fund or the General Fund for
403 further payment by the Treasurer of debt service on general obligation
404 bonds of the state issued for purposes of The University of Connecticut
405 Health Center.

406 (d) Commencing December 1, 1981, and thereafter [within] not later
407 than sixty days [of] after the close of each quarter, the board of trustees
408 shall submit to the joint standing committee of the General Assembly
409 having cognizance of matters relating to appropriations and the
410 budgets of state agencies and the Office of Policy and Management,
411 through the Board of Governors of Higher Education, a report on the
412 actual expenditures of The University of Connecticut Operating Fund
413 and The University of Connecticut Health Center Operating Fund
414 containing such relevant information as the Board of Governors of
415 Higher Education may require.

416 (e) Said board of trustees shall waive the payment of tuition fees at
417 The University of Connecticut (1) for any dependent child of a person
418 whom the armed forces of the United States has declared to be missing
419 in action or to have been a prisoner of war while serving in such armed
420 forces after January 1, 1960, which child has been accepted for

421 admission to The University of Connecticut and is a resident of
422 Connecticut at the time such child is accepted for admission to said
423 institution, (2) for any veteran having served in time of war, as defined
424 in subsection (a) of section 27-103, or who served in either a combat or
425 combat support role in the invasion of Grenada, October 25, 1983, to
426 December 15, 1983, the invasion of Panama, December 20, 1989, to
427 January 31, 1990, or the peace-keeping mission in Lebanon, September
428 29, 1982, to March 30, 1984, who has been accepted for admission to
429 said institution and is domiciled in this state at the time such veteran is
430 accepted for admission to said institution, (3) for any resident of
431 Connecticut sixty-two years of age or older who has been accepted for
432 admission to said institution, provided (A) such person is enrolled in a
433 degree-granting program, or (B) at the end of the regular registration
434 period, there are enrolled in the course a sufficient number of students
435 other than those persons eligible for waivers pursuant to this
436 subdivision to offer the course in which such person intends to enroll
437 and there is space available in such course after accommodating all
438 such students, (4) for any active member of the Connecticut Army or
439 Air National Guard who (A) has been certified by the Adjutant
440 General or such Adjutant General's designee as a member in good
441 standing of the guard, and (B) is enrolled or accepted for admission to
442 said institution on a full-time or part-time basis in an undergraduate or
443 graduate degree-granting program, (5) for any dependent child of a
444 (A) police officer, as defined in section 7-294a, or supernumerary or
445 auxiliary police officer, (B) firefighter, as defined in section 7-323j, or
446 member of a volunteer fire company, (C) municipal employee, or (D)
447 state employee, as defined in section 5-154, killed in the line of duty,
448 (6) for any resident of the state who is the dependent child or surviving
449 spouse of a specified terrorist victim who was a resident of the state,
450 (7) for any dependent child of a resident of the state who was killed in
451 a multivehicle crash at or near the intersection of Routes 44 and 10 and
452 Nod Road in Avon on July 29, 2005, and (8) for any resident of the state
453 who is a dependent child or surviving spouse of a person who was
454 killed in action while performing active military duty with the armed
455 forces of the United States on or after September 11, 2001, and who

456 was a resident of this state. If any person who receives a tuition waiver
457 in accordance with the provisions of this subsection also receives
458 educational reimbursement from an employer, such waiver shall be
459 reduced by the amount of such educational reimbursement. Veterans
460 described in subdivision (2) of this subsection and members of the
461 National Guard described in subdivision (4) of this subsection shall be
462 given the same status as students not receiving tuition waivers in
463 registering for courses at The University of Connecticut.
464 Notwithstanding the provisions of section 10a-30, as used in this
465 subsection, "domiciled in this state" includes domicile for less than one
466 year.

467 (f) In addition to the waiver of tuition fees pursuant to subsection (e)
468 of this section, said board of trustees shall waive the payment of any
469 extension fees for a course in an educational extension program or a
470 summer session at The University of Connecticut for any active
471 member of the Connecticut Army or Air National Guard who (1) is a
472 resident of the state, (2) has been certified by the Adjutant General or
473 the Adjutant General's designee as a member in good standing of the
474 guard, and (3) is enrolled or accepted for admission to such institution
475 on a full-time or part-time basis in an undergraduate or graduate
476 degree-granting program.

477 (g) Any veteran described in subdivision (2) of subsection (e) of this
478 section and any member of the National Guard described in
479 subdivision (5) of subsection (e) of this section or subsection (f) of this
480 section who applies for a waiver of tuition or extension fees pursuant
481 to this section shall certify to the board of trustees that such veteran or
482 such member of the National Guard has applied for federal benefits,
483 including, but not limited to, benefits available through the Post-9/11
484 Veterans Educational Assistance Act of 2008, and any waiver of tuition
485 or extension fees shall be reduced by the amount of such federal
486 benefits.

487 [(f)] (h) Said board shall set aside from its anticipated tuition
488 revenue, an amount not less than that required by the board of

governors' tuition policy established under subdivision (3) of subsection (a) of section 10a-6. Such funds shall be used to provide tuition waivers, tuition remissions, grants for educational expenses and student employment for any undergraduate, graduate or professional student who is enrolled as a full or part-time matriculated student in a degree-granting program, or enrolled in a precollege remedial program, and who demonstrates substantial financial need. Said board may also set aside from its anticipated tuition revenue an additional amount equal to one per cent of said tuition revenue for financial assistance for students who would not otherwise be eligible for financial assistance but who do have a financial need as determined by the university in accordance with this subsection. In determining such financial need, the university shall exclude the value of equity in the principal residence of the student's parents or legal guardians, or in the student's principal residence if the student is not considered to be a dependent of his parents or legal guardians and shall assess the earnings of a dependent student at the rate of thirty per cent.

[(g)] (i) The University of Connecticut Operating Fund shall be reimbursed for the amount by which tuition and extension fee waivers granted under [subsection (e)] subsections (e) and (f) of this section exceed two and one-half per cent of tuition revenue through an annual state appropriation. The board of trustees shall request such an appropriation and said appropriation shall be based upon an estimate of tuition revenue loss using tuition rates in effect for the fiscal year in which such appropriation will apply.

[(h)] (j) Said board shall grant remission or waiver of tuition for graduate assistants at the university. Assistantship payments to graduate assistants shall not be considered salaries and wages under the provisions of section 3-119, and shall be paid according to a schedule prescribed by the university and approved by the State Comptroller.

[(i)] (k) Said board of trustees shall allow any student who is a member of the armed forces called to active duty during any semester

522 to enroll in any course for which such student had remitted tuition but
523 which was not completed due to active duty status. Such course
524 reenrollment shall be offered to any qualifying student for a period not
525 exceeding four years after the date of release from active duty without
526 additional tuition, student fee or related charge, except if such student
527 has been fully reimbursed for the tuition, fees and charges for the
528 course that was not completed.

529 Sec. 4. Section 10a-16 of the general statutes is repealed and the
530 following is substituted in lieu thereof (*Effective July 1, 2009*):

531 The Board of Governors of Higher Education shall adopt
532 regulations in accordance with the provisions of chapter 54 for
533 determining financial need for tuition waivers granted pursuant to
534 subsection [(e)] (g) of section 10a-77, as amended by this act,
535 subsection (g) of section 10a-99, as amended by this act and subsection
536 [(f)] (h) of section 10a-105, as amended by this act. Such regulations
537 shall prohibit the designation of graduate students as graduate
538 assistants solely to provide tuition and fee waivers.

539 Sec. 5. Subsection (a) of section 10a-164a of the general statutes is
540 repealed and the following is substituted in lieu thereof (*Effective July*
541 *1, 2009*):

542 (a) The Board of Governors of Higher Education shall annually
543 request an appropriation to the Department of Higher Education equal
544 to the amount required, for the fiscal year two years prior, for tuition
545 and extension fee waivers, tuition remissions, grants for educational
546 expenses and student employment under subsection [(e)] (g) of section
547 10a-77, as amended by this act, subsection [(e)] (g) of section 10a-99, as
548 amended by this act and subsection [(f)] (h) of section 10a-105, as
549 amended by this act. The department shall allocate any such
550 appropriation to The University of Connecticut, each of the
551 Connecticut state universities and each of the regional community-
552 technical colleges in accordance with a formula approved by the Board
553 of Governors of Higher Education. The formula shall take into account
554 the amount of federal student aid received by students at each

555 institution. The amounts allocated shall be used to provide grants for
556 educational expenses and student employment for residents of the
557 state who demonstrate substantial financial need and are enrolled as
558 full-time or part-time matriculated students in a degree-granting
559 program or a precollege remedial program. For each fiscal year a
560 minimum of ten per cent of the total amount of state student financial
561 aid appropriated to each institution which exceeds the amount
562 received by each institution for the fiscal year ending June 30, 1987,
563 shall be used for student financial aid for needy minority students in
564 accordance with the board's strategic plan for racial and ethnic
565 diversity under section 10a-11. For each fiscal year a minimum of five
566 per cent of the total amount of state student financial aid appropriated
567 to each institution which exceeds the amount received by each
568 institution for the fiscal year ending June 30, 1988, shall be used for on-
569 campus or off-campus community service work-study placements.
570 Individual awards shall not exceed a student's calculated financial
571 need as determined on the basis of a needs analysis system approved
572 by the United States Department of Education. Financial aid provided
573 to Connecticut residents under this program shall be designated as a
574 grant from the Connecticut aid to public college students grant
575 program.

576 Sec. 6. Subsection (b) of section 10a-170c of the general statutes is
577 repealed and the following is substituted in lieu thereof (*Effective July*
578 *1, 2009*):

579 (b) Students selected as graduate assistants pursuant to section 10a-
580 170b shall receive ten thousand dollars annually provided the student
581 shall be employed by the institution in a teaching or research capacity
582 for not less than fifty per cent of full-time, as defined by the institution.
583 The Commissioner of Higher Education shall pay (1) to each public
584 and private institution under the program ten thousand dollars
585 annually for each such student, and (2) to each public institution under
586 the program fifteen hundred dollars annually for each such student to
587 support the institution's costs associated with the coverage provided in
588 section 5-259, pursuant to the provisions of subsection (b) of section

589 10a-105, as amended by this act, and subsection [(g)] (b) of section 10a-
590 99, as amended by this act.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2009</i>	10a-77
Sec. 2	<i>July 1, 2009</i>	10a-99
Sec. 3	<i>July 1, 2009</i>	10a-105
Sec. 4	<i>July 1, 2009</i>	10a-16
Sec. 5	<i>July 1, 2009</i>	10a-164a(a)
Sec. 6	<i>July 1, 2009</i>	10a-170c(b)

VA *Joint Favorable C/R*

HED

HED *Joint Favorable Subst.*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

OFA Fiscal Note**State Impact:**

Agency Affected	Fund-Effect	FY 10 \$	FY 11 \$
Constituent Units of Higher Education	Extension Fund - Revenue Loss	See Below	Potential

Municipal Impact: None

Explanation

The bill results in a revenue loss to the constituent units of higher education as it requires the colleges to waive extension fees for extension and summer session programs for eligible guard members in addition to tuition, which is waived under current law. The exact revenue loss is dependent upon the number of National Guard members taking courses requiring payments to the extension fund.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to fee increases.

OLR Bill Analysis**sSB 901*****AN ACT CONCERNING FEES PAID BY MEMBERS OF THE CONNECTICUT NATIONAL GUARD AT COMMUNITY-TECHNICAL COLLEGES, THE CONNECTICUT STATE UNIVERSITY SYSTEM AND THE UNIVERSITY OF CONNECTICUT.*****SUMMARY:**

This bill expands the Connecticut National Guard tuition waiver program at UConn, the Connecticut State universities (CSUS), and the community-technical colleges (CTC).

The bill also requires veterans who apply for tuition waivers and guard members who apply for tuition or extension fee waivers to certify to the pertinent college board that they have applied for federal benefits, including benefits under the 2008 Post-9/11 Veterans Educational Assistance Act (see BACKGROUND). The college must reduce the waiver by the amount of federal benefits granted.

The bill also makes conforming changes with regard to state reimbursement of extension fee waivers.

EFFECTIVE DATE: July 1, 2009

NATIONAL GUARD TUITION WAIVER

Under current law, the state's public colleges must waive tuition for eligible guard members enrolled or accepted for admission in full- or part-time undergraduate or degree-granting programs (including graduate programs, in the case of UConn and the CSUS). The bill requires the colleges also to waive extension fees for extension and summer session programs for eligible guard members.

To be eligible for a waiver under the bill, as under the law, a guard member must be (1) enrolled or accepted for admission in an eligible

program and (2) certified by the adjutant general or his designee to be in good standing with the guard. But the bill limits the extension and summer session fee waivers to Connecticut residents.

TUITION REVENUE

Under current law, the college boards must set aside from their anticipated tuition revenue an amount to be used to provide tuition waivers and for other programs mandated by law. The bill requires the CTCs (but not the other colleges) to use the set-aside funds for extension fee waivers as well.

Under current law, the state must reimburse the colleges for the amount by which tuition fee waivers exceed two and one-half percent of tuition revenue, in the case of the CTCs, and five percent, in the case of UConn and CSUS. The bill applies the reimbursement requirement to extension fee waivers as well.

BACKGROUND

Veterans Educational Assistance Act

Veterans, including guard members called to federal active duty, generally qualify for benefits under this federal act if they have served at least 90 days of active duty (unless released earlier for specified reasons), with at least some active duty service on or after September 10, 2001.

The amount of benefits depends on certain factors, including the veteran's enrollment (e.g., part- or full-time) and service status.

In general, veterans are eligible for up to 36 months of assistance (four academic years), including tuition and other benefits (e.g., housing, books, and supplies).

Benefits may be used only at degree-granting institutions.

Private colleges and universities can voluntarily participate in the program. The federal government will pay up to 50% of the cost greater than the most expensive public program.

Veterans who receive educational benefits under this act may not receive concurrent assistance under other similar programs.

COMMITTEE ACTION

Select Committee on Veterans' Affairs

Joint Favorable Change of Reference

Yea 10 Nay 0 (03/05/2009)

Higher Education and Employment Advancement Committee

Joint Favorable Substitute

Yea 17 Nay 0 (03/17/2009)